

**APPLICANTS:**      **Konrad Bergandy *et al.***  
**U.S.S.N.:**         **10/676,127**

### **Amendments to the Drawings**

The attached sheets of drawings include changes to FIGS. 5A and 5B. Theses sheets replace the original sheets including FIGS. 5A and 5B.

Attachment: Replacement Sheets

## REMARKS

### Amendments to the Claims

Upon entry of the present amendments, claims 1-6 and 8-11 are pending. Claim 7 is cancelled without prejudice, and new claim 11 is added. Additionally, claims 1, 4, 8, and 9 are amended herein.

Claim 1 is amended to specify that the adjustable offset mechanism is configured to pivot the work-piece holder about an axis external to the recess in the work-piece holder. Consequently, a work-piece contained in the recess will be physically displaced when the adjustable offset mechanism is pivoted.

New claim 11 introduces additional structure to the apparatus (*i.e.*, the block and block head), so as to provide antecedent basis for references to the block in claims 4, 8 and 9. Accordingly, claims 4, 8 and 9 are all amended to depend from new claim 11. Support for new claim 11 is found, *e.g.*, at paragraphs 039 and 055. The bases for other amendments to claims 4, 8 and 9 are self-evident. Consequently, the present amendment does not introduce new matter.

### Amendments to the Drawings

Figures 5A and 5B are amended to re-label the adjusting tool with reference number 509; it was previously labeled with reference number 507. The reference line for reference number 507 (referring to the adjustable offset mechanism) is redirected to point to the offset plate, which is joined to the seat stage (110) via pivot point (505) and displaced via adjusting tool (509). Although, the adjustable offset mechanism (507) includes the pivot point and the adjusting tool (in addition to the offset plate), the Applicants believe that a proper understanding of the structure is better facilitated by tying the reference line for reference number 507 to the one component of the adjustable offset mechanism to which all other illustrated components of the adjustable offset mechanism are directly joined.

Each of the grounds for rejection cited in the Office Action is addressed below, under an appropriate sub-heading.

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### 35 U.S.C. §112, Second Paragraph

Claim 7 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. Specifically, the examiner pointed to the reference to “said block” in the first line of claim 7. Claim 7 has been cancelled, thereby obviating this rejection. Nevertheless, other dependent claims that include references to “said block” have been amended to make them depend from new claim 11, which provides a proper antecedent basis for the block.

### 35 U.S.C. §102

Claims 1-3 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,005,633 (Matthews *et al.*).

Amended claim 1, which is the sole independent claim, now specifies, *inter alia*, that the adjustable offset mechanism is configured to pivot the work-piece holder about an axis external to the recess in the work-piece holder. Consequently, a work-piece contained in the recess can be pivoted via the adjustable offset mechanism out of the pathway of the block such that any other desired procedures can be performed on the work piece, and then the adjustable offset mechanism can pivot the work piece back into alignment with the block.

In Matthews *et al.*, the lens seat is pivoted so as to position the lens at a variable inclination relative to the block (see, *e.g.*, Col. 1, lines 40-47, of Matthews *et al.*). The axis about which the lens (and hence the cavity in which the lens is inserted) is pivoted in Matthews *et al.* is an internal axis (*i.e.*, the lens is pivoted in place). Matthews *et al.* does not disclose an adjustable offset mechanism configured to provide an axis of rotation outside the cavity.

Absent a disclosure of such a pivoting mechanism in Matthews *et al.*, Applicants respectfully submit that Matthews *et al.* does not anticipate amended claim 1 (or claims 2 or 3, which depend therefrom) and respectfully request that this rejection be reconsidered and withdrawn in view of the amendments to claim 1.

### 35 U.S.C. §103

Claims 4-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Matthews *et al.* in view of U.S. Patent No. 5,080,482 (Benz *et al.*). Of these claims, claim 7 was cancelled.

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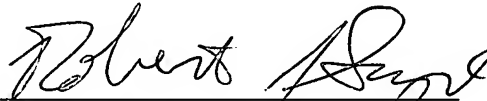
Furthermore, claim 11 was added. Each of claims 4-6 and 8-11 depends from amended claim 1 and, therefore, incorporates its limitations.

Benz *et al.* does not disclose or suggest an adjustable offset mechanism configured to pivot about axis external to the recess in the work-piece holder. Consequently, these limitations in amended claim 1 (as discussed in the preceding section) are neither disclosed nor suggested by Matthews *et al.* or by Benz *et al.* alone or in combination. Because each of these claims depends from claim 1 and, therefore, now incorporates these limitations as to the adjustable offset mechanism and its pivot point, Applicants respectfully request that this rejection be reconsidered and withdrawn.

### CONCLUSION

On the basis of the foregoing amendments, Applicants respectfully submit that the pending claims are in condition for allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



Robert J. Sayre, Reg. No. 42,124  
Attorney for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
Address all written correspondence to  
**Customer No. 30623**  
Tel: (617) 542-6000  
Fax: (617) 542-2241